

Message Text

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PAGE 01 VIENNA 02368 191347Z

64

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 SP-02 AID-05 NSC-05 CIEP-01

TRSE-00 SS-15 STR-01 OMB-01 CEA-01 AGR-05 L-02

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 5146

LIMITED OFFICIAL USE VIENNA 2368

PASS AGRICULTURE AND COMMERCE

E.O. 11652: N/A

TAGS: ETRD, AU

SUBJECT: AUSTRIAN FOOD LABELING ORDINANCE

REF: VIENNA 1662

1. AUSTRIAN TRADE MINISTRY HAS WRITTEN TO EMBASSY CONCERNING U.S. OBJECTIONS TO FOOD LABELING ORDINANCE OF 1973. LETTER STATES 1973 ORDINANCE ONLY EXTENDS TO ADDITIONAL RANGE OF PRODUCTS PROVISIONS OF 1968 FOOD LABELING ORDINANCE AND THAT QUOTE OPEN DATE MARKING MERELY CONSTITUTES INFORMATION TO CONSUMER AND DOES NOT HOLD ANY SUGGESTION AS TO ACTUAL CONDITION OF THE MERCHANDISE UNQUOTE. LETTER CONTENDS THAT SUCH INFORMATION DOES NOT IMPLY THAT A GIVEN PRODUCT IS DEFICIENT AND MAINTAINS THAT PRODUCTS SO LABELED CONTINUE TO BE LEGALLY ELIGIBLE FOR SALE REGARDLESS OF DATE SHOWN. REPLY ALSO DENIES ANY DISCRIMINATORY TRADE EFFECTS, CLAIMING THAT PROVISIONS APPLY EQUALLY TO FOREIGN AND DOMESTIC ENTERPRISES.

2. COPIES OF MINISTRY'S LETTER BEING POUCHED TO EB/OT/STA.

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PAGE 02 VIENNA 02368 191347Z

3. COMMENT: MINISTRY'S REPLY IS ALONG LINES PREVIOUSLY INDICATED TO US BY DR. BACHMAYER IN TRADE MINISTRY FEBRUARY 24 AS REPORTED REFTTEL. EMBASSY WILL CONTINUE TO PRESS ISSUE WITH GOA OFFICIALS, PARTICULARLY IN HEALTH MINISTRY WHICH WILL TAKE OVER COMPETENCE FOR ORDINANCE JULY 1. CHANGES FOR FAVORABLE OUTCOME FROM U.S. STAND-POINT DO NOT APPEAR HOPEFUL, HOWEVER. DEPARTMENT MAY WISH TO CONSIDER NOTIFYING LABELING ORDINANCE AS NON-TARIFF BARRIER, AS MEANS OF REINFORCING OUR CONCERN. AUSTRIAN TRADE POLICY OFFICIALS, AS DISTINCE FROM MINISTRY OF HEALTH AND ENVIRONMENTAL PROTECTION, MAY TAKE MORE SERIOUS VIEW OF INTERNATIONAL IMPLICATIONS OF SUCH ORDINANCES. MOWINCKEL

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Margaret P. Grafeld
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